

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44744 of 2018

Arising Out of PS.Case No. -1 Year- 2017 Thana -AMARPUR District- BANKA

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1. Sudin Sah, S/o Harkhu Sah
2. Sonu Sah @ Sonu Kumar S/o Sudin Sah,
3. Prakash Sah, S/o Harkhu Sah, all R/o Village-Paravchak, Police Station-
Fullidumar, District-banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Amarpur
(Fullidumar) P.S. Case No. 01/2017, instituted for the offences
punishable under Sections 341, 323, 354, 379, 506 and 509/34 of the
Indian Penal Code.

Learned counsel for the petitioners has submitted that
this case is counter blast of Complaint Case No. 41/2017, which has
been filed by the wife of Petitioner no. 1 against the husband of the
informant of the present case. From the F.I.R. itself, it is evident that
there is no specific allegation against any of the petitioners. There is
general and omnibus allegation against these petitioners. From the
written report itself, it appears that no injury has been sustained by



anyone. Sessions Judge has also not mentioned about any injury sustained by anyone.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Amarpur (Fullidumar) P.S. Case No. 01/2017, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Vikash Kumar, learned Judicial Magistrate, 1st Class, Banka, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J.)

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